

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CITIZENS INSURANCE COMPANY  
OF AMERICA

CASE NO. 03-CV-74256-DT  
HON. LAWRENCE P. ZATKOFF

Plaintiff,

vs.

MIDMICHIGAN HEALTH  
CONNECTCARE NETWORK PLAN,

Defendant.

---

**ORDER**

On January 3, 2005, this Court issued an Opinion and Order denying Plaintiff's Motion for Summary Judgment and entered Judgment in favor of Defendant. This Court determined that Plaintiff was first in priority for the payment of medical expenses incurred as a result of the underlying automobile accident, as described in detail in that Opinion and Order. Plaintiff appealed the Court's decision to the Sixth Circuit Court of Appeals. The Sixth Circuit recently issued an Opinion that (1) reversed this Court's decision, (2) held that Defendant was first in priority for the payment of medical expenses incurred as a result of the underlying automobile accident through December 31, 2000, and (3) remanded the case to this Court to determine whether the amendment to Defendant's plan language effective January 1, 2001, affected the priority for payment of the insured's claims that accrued between January 1, 2001, and April 18, 2001 (when the insured died).

Pursuant to the directive of the Sixth Circuit, the Court hereby ORDERS that, on or before August 31, 2006, either (a) the parties submit a stipulation to the Court as to the party who is first in priority for the payment of the insured claims between January 1, 2001, and April 18, 2001, or (b) each party file a brief (not to exceed 10 pages) setting forth its position of the priority of payment for such period and the legal support for its position. As the parties have previously set forth the

facts and legal standard applicable to this case, any new filings need not (and should not) contain any statement of facts or legal standard that has been submitted to this Court.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: July 28, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on July 28, 2006.

s/Marie E. Verlinde  
Case Manager  
(810) 984-3290